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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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FragranceNet.com, Inc.,

Plaintiff,

v.

CV 06 2225 (JFB) (AKT)

FragranceX.com, Inc.,

Defendant.

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**NOTICE OF MOTION FOR A PROTECTIVE  
ORDER PURSUANT TO FED.R.CIV.PRO. RULE 26(C)**

PLEASE TAKE NOTICE that Defendant, FragranceX.com, Inc. ("FragranceX"), upon the accompanying declaration of Donald E. Morris, Esq., sworn to on July 24, 2009, the exhibits thereto and Memorandum of Points and Authorities, will hereby move the Court for Motion for a Protective Order pursuant to Fed.R.Civ.Pro. Rule 26(c) prohibiting Dennis T. Apfel, Esq., CEO, CFO and Chairman of the Board of Plaintiff, FragranceNet.com, Inc. ("FragranceNet") and any other persons other than counsel of record in this case, from in any way, receiving and/or viewing documents and any other information marked or designated by FragranceX as "Confidential Information Attorneys' Eyes Only" or the like and for such other and further relief as the Court may deem appropriate.

Dated: Glen Allen, VA  
July 24, 2009

**Respectfully submitted,**

/s/Donald E. Morris, Esq.

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